



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
Division of Health Professions Licensure
Board of Registration in Nursing

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Review of Education Policy 02-02: 244 CMR 6.04(2)(b)3 Wavier Criteria

Background:

In February 2004, members of the Massachusetts Board of Registration in Nursing (Board) established an advisory committee to review data from the Board's Spring 2004 Faculty Vacancy Survey of Board-approved Nursing Education Programs and to make recommendations for evidence-based changes to the Board's Education Policy 02-02: *244 CMR 6.04(2)(b) 3 Waiver Criteria*.

Board regulation 244 CMR 6.04(2)(b) 3 requires the appointment of Registered Nurse program faculty hold a graduate degree in nursing or a doctoral degree in nursing for either didactic or clinical instruction. Education Policy 02-02 establishes criteria for the waiver of 244 CMR 6.04(2)(b) 3 in the appointment of otherwise qualified faculty to Registered Nurse programs for the purpose of clinical or skills laboratory instruction only. The waiver criteria include:

- the prospective instructor possess an earned baccalaureate degree in nursing and is matriculated in a graduate nursing program with an expected graduation date within five years of the date the Board grants such a waiver; or
- the prospective instructor possesses an earned baccalaureate degree in nursing and a related non-nursing graduate degree.

The Advisory Committee's final recommendation to the Board included retention of the two 244 CMR 6.04(2)(b) 3 waiver criterion previously outlined in Education Policy 02-02, adopted November 2002, and the addition of a third criterion (*Option 3*). The three criterion for a wavier can be found in Education Policy 02-02: *244 CMR 6.04(2)(b)3 Waiver Criteria* in Appendix A.

Education Policy 02-02, as revised on June 9, 2004, required the Board evaluate this policy within three years of its revision.

Summary:

The policy has been implemented and data has been collected for this evaluation including the number and types of waivers per program per year, individual and aggregate faculty data, enrollment rates, graduation rates, National Council Licensure Examination for Registered Nurses (NCLEX-RN) pass rates, and other indicators. The following policy evaluation was conducted by Judith M. Pelletier, MSN, RN, Nursing Education Coordinator, with the assistance of Donna Dello Iacono, MS, RN.

The waiver policy as revised on June 9, 2004 has increased the pool of potential clinical and laboratory instructors statewide from 14% to 50%¹. The number of waivers granted has increased from 42 the first year to 237 in 2006, resulting in a total of 571 waivers granted as of December 31, 2006. Figure 1 demonstrates the steady increase in the number of waivers granted since 2003. This represents a significant increase in the number of skills laboratory and clinical faculty appointed by Board approved registered nurse education programs.

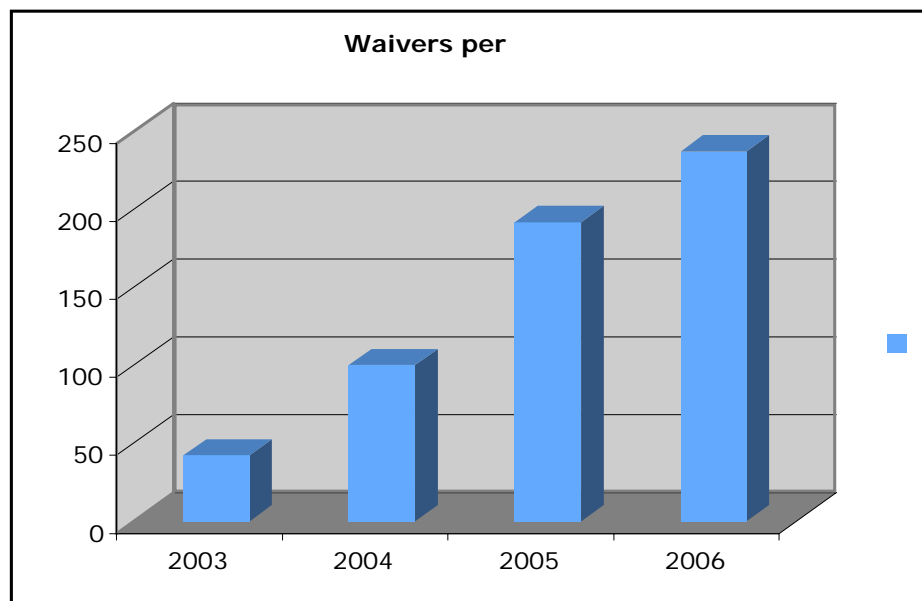


Figure 1

Source: Massachusetts Board of Registration in Nursing records.

Forty of the forty-five approved registered nurse programs sought waivers between 2003 and 2006. Very few waiver requests were denied indicating understanding of and adherence to the criteria for the waivers. An analysis of the applicants indicate an experienced cadre; the majority of these clinical and laboratory instructors have greater than ten years of clinical experience in the specialty they are teaching to students. The range of waivers at each program ranges from zero to fifty-five, with an average of thirteen.

The admission, graduation and enrollment rates has increased for a majority of registered nurse program from 2002 to 2006; admissions have increased by 59%, graduation rates increased by 55%, and enrollment rates increased by 60% (see Figure 2).

¹ Proposed Revisions to Education Policy 02-02: A Report Submitted to the Massachusetts Board of Registration in Nursing by the Education Policy 02-02 Advisory Committee. Prepared by Carol A. Silveira, MS, RN, May 25, 2004.

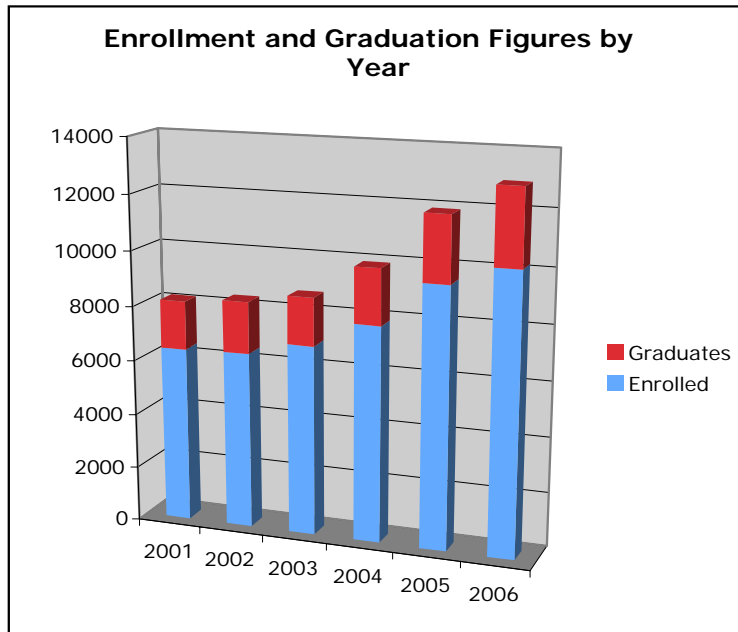


Figure 2

Source: Massachusetts Board of Registration in Nursing records.

While it is possible to cite several causes for the increase in enrollment, the data suggests that the waivers have made a significant impact on these figures. When two programs similar in location, enrollment, registered nurse program type, and other matched factors are examined, the program that employed nursing program faculty in accordance with the wavier policy realized a 30% increase in enrollment from 2002 to 2006. In contrast, the program that did not seek nursing faculty waivers realized only a 14% increase in enrollment. These programs maintained a nearly equal NCLEX-RN pass rate over the same period of time.

Massachusetts publicly funded registered nurse education programs were reviewed, and those programs which sought waivers increased their enrollment by 96% from 2002 to 2006. Those programs which did not utilize faculty waivers increased enrollment by 45% over the same period of time. Many programs with faculty waivers were found to have only increased their enrollments marginally, and two programs using the waivers have actually experienced a decrease in enrollment indicating that the waivers may be needed to simply maintain enrollment in some educational institutions.

The NCLEX-RN pass rate has remained relatively stable 2002 to 2006 with a range of 85% to 88%, (see Table 1). The number of programs with NCLEX-RN rates above the national average has increased from 46% in 2002 to 64% in 2006.

Table 1.

Year	MA NCLEX-RN Pass Rate	National NCLEX-RN Pass Rate
2001	85%	86%
2002	87%	86%
2003	88%	87%
2004	86%	87%
2005	86%	85%
2006	88%	87%

Source: National Council of State Boards of Nursing.

There appears to be no correlation to the use of waivers and any decline in the NCLEX-RN outcome measure. All of the programs that fell below the 80% pass rate had appointed nursing program faculty in accordance with the waivers; however, this was also the case with those programs exceeding the national average, with the exception of one program which did not apply for faculty waivers 2002-2006. The growth rates of the six programs with an NCLEX-RN pass rate of less than 80% ranged from 7% to 500% over the period of the implementation of the waivers. The characteristics of these programs are dissimilar, three are urban, three suburban; five are private and one is a public institution; and they include both two-year and four-year programs. The number of programs with an NCLEX-RN pass rate of less than 80% decreased 33% from 2005 (n=10) to 2006 (n=6). The programs with the highest NCLEX-RN pass rates experienced a growth rate ranging from minus 17% to 284%; their program characteristics are also dissimilar. The number of the waivers alone does not seem to have a negative impact on outcome performance; the programs with the highest number of faculty waivers have maintained their NCLEX-RN pass rate above 80%. Appendix B identifies the enrollment, graduation, and NCLEX-RN pass rates all Board approved registered nurse education programs, 2002 to 2006.

Conclusion:

In June 2004, the Advisory Committee members viewed Education Policy 02-02 as a short-term solution to the complex, statewide issues of nursing faculty vacancies and the shortage of qualified nurse educators while maintaining the integrity of the Board's regulation at 244 CMR 6.04(2)(b) 3. The 2006 Faculty Vacancy Study demonstrates the shortage of qualified nurse educators has persisted, and has worsened, as programs expand to meet the demand for nurses. Waiver Policy 244 CMR 6.04(2)(b)3 and its revision have enabled the Board Approved Registered Nurse programs to admit, enroll, graduate, a greater number of individuals eligible for licensure as a registered nurse without experiencing a negative impact on NCLEX-RN pass rates.

Recommendation:

Accept Education Policy 02-02 as reviewed directing an evaluation of the policy be conducted in two years (2010).

This policy review was prepared by Judith M. Pelletier, MSN, RN, Nursing Education Coordinator and presented to the Massachusetts Board of Registration in Nursing on March 12, 2008.

Appendix A

Education Policy 02-02

Title	244 CMR 6.04(2)(b)3 Waiver Criteria
Purpose	To establish criteria for the waiver of 244 CMR 6.04(2)(b) 3 in the appointment of faculty to Registered Nurse programs for the purpose of clinical or skills laboratory instruction.
Date Adopted	November 20, 2002 Revised June 9, 2004
Policy	<p>It is the policy of the Massachusetts Board of Registration in Nursing that prospective instructors who meet one of the three 244 CMR 6.04(2)(b) 3 waiver options specified below, and who are qualified in accordance with regulations 244 CMR 6.04(2)(b) 1, may be appointed to the faculty of Registered Nurse programs for the purpose of clinical or skills laboratory instruction only.</p> <p>The 244 CMR 6.04(2)(b)3 waiver criteria for clinical and skills laboratory instruction include:</p> <p>Waiver Option 1: The prospective instructor possesses an earned baccalaureate degree in nursing and is matriculated in a graduate nursing program with an expected graduation date within five years of the date the Board grants such a waiver and is otherwise qualified in accordance with 244 CMR 6.04(2)(b) 4.</p> <p>A waiver granted under Waiver Option 1 will begin on the date the Board grants the waiver and will expire on the date of the prospective instructor's graduation from a graduate-nursing program. Such a waiver will not exceed five years.</p> <p>Waiver Option 2: The prospective instructor possesses an earned baccalaureate degree in nursing and a related non-nursing graduate degree and is otherwise qualified in accordance with 244 CMR 6.04(2)(b) 4.</p> <p>A waiver granted under Waiver Option 2 will begin on the date the Board grants the waiver and will extend for an indefinite period.</p>

Waiver Option 3:

The prospective instructor possesses an earned baccalaureate degree in nursing and possesses a minimum of five years full-time experience or its equivalent within the last eight years, and evidence of competence in the area of clinical instruction. A faculty member qualified under 244 CMR 6.04(2)(b) must be designated to mentor the instructor in accordance with Section III, Education Policy 02-02 Waiver Option 3: Novice Nurse Educator Mentorship, Guidelines for Clinical Learning Experiences, Massachusetts Board of Registration in Nursing (2004).

A waiver granted under Waiver Option 3 will begin on the date the Board grants the waiver and will expire at the conclusion of the fourth year of employment with the same appointing institution. Upon matriculation in a graduate-nursing program, the Board will extend such a waiver until the date of the instructor's graduation. Such a waiver extension will not exceed five years from the date of matriculation in a graduate-nursing program.

Administrators of approved Registered Nurse programs must apply to the Board for a waiver of 244 CMR 6.04(2)(b) 3. Waiver application forms are available from the Board.

The Board will evaluate this policy within three years of its revision.

Appendix B

American International College	Enrolled	Graduated	Waivers	NCLEX
2002	127	16	0	82
2003	121	18	0	78
2004	245	19	4	89
2005	304	25	7	72
2006	285	26	6	88
Percent Growth 02-06	124%	62%	Total 17	

Atlantic Union College	Enrolled	Graduated	Waivers	NCLEX
2002	39	12	0	100
2003	54	19	2	80
2004	61	17	1	82
2005	48	10	7	100
2006	72	24	6	83
Percent Growth 02-06	84%	100%	Total 16	

Becker College	Enrolled	Graduated	Waivers	NCLEX
2002	61	23	0	87
2003	89	20	1	95
2004	141	45	4	93
2005	269	48	13	81
2006	362	118	7	68
Percent Growth 02-06	500%	413%	Total 25	

Berkshire Community College	Enrolled	Graduated	Waivers	NCLEX
2002	90	50	0	96
2003	64	29	1	93
2004	101	40	4	75
2005	111	48	4	100
2006	111	45	6	89
Percent Growth 02-06	11%	-10%	Total 15	

Boston College (includes MSN program)	Enrolled	Graduated	Waivers	NCLEX
2002	282	106	0	95
2003	276	60	0	98
2004	307	62	0	98
2005	375	74	0	91
2006	409	109	4	95
Percent Growth 02-06	45%	No change	Total 4	

Bristol Community College	Enrolled	Graduated	Waivers	NCLEX
2002	100	41	0	100
2003	115	45	1	100
2004	155	60	6	87
2005	154	73	1	88
2006	149	63	2	91
Percent Growth	49%	53%	Total 10	

Brockton Hospital	Enrolled	Graduated	Waivers	NCLEX
2002	298	86	0	67
2003	172	67	0	81
2004	139	54	0	89
2005	294	54	1	92
2006	318	70	2	96
Percent Growth 02-06	7%	-20%	Total 3	

Bunker Hill Community College	Enrolled	Graduated	Waivers	NCLEX
2002	88	27	0	93
2003	105	34	0	94
2004	160	31	5	82
2005	224	45	9	87
2006	296	81	18	70
Percent Growth	236%	200%	Total 32	

Cape Cod Community College	Enrolled	Graduated	Waivers	NCLEX
2002	123	51	0	90
2003	188	57	1	85
2004	178	84	3	83
2005	183	73	3	85
2006	178	79	4	93
Percent Growth	45%	55%	Total 11	

Curry College	Enrolled	Graduated	Waivers	NCLEX
2002	206	40	0	76
2003	115	21	2	80
2004	164	25	3	100
2005	114	46	3	91
2006	242	79	7	92
Percent Growth 02-06	17%	98%	Total 15	

Endicott College	Enrolled	Graduated	Waivers	NCLEX
2002	40	0	0	100
2003	61	7	0	86
2004	82	8	0	88
2005	83	12	3	92
2006	104	20	3	59
Percent Growth 02-06	160%	100%	Total 6	

Fitchburg State College	Enrolled	Graduated	Waivers	NCLEX
2002	226	61	0	77
2003	229	35	1	67
2004	235	38	2	74
2005	271	42	6	67
2006	188	31	4	93
Percent Growth	-17%	-49%	Total 13	

Greenfield Community College	Enrolled	Graduated	Waivers	NCLEX
2002	62	24	0	100
2003	77	32	4	97
2004	75	33	4	91
2005	79	35	5	89
2006	81	37	3	97
Percent Growth 02-06	32%	48%	Total 16	

Holyoke Community College	Enrolled	Graduated	Waivers	NCLEX
2002	86	30	0	75
2003	101	50	0	82
2004	96	45	0	82
2005	99	51	4	96
2006	92	39	4	79
Percent Growth 02-06	7%	30%	Total 8	

Laboure College	Enrolled	Graduated	Waivers	NCLEX
2002	179	47	0	82
2003	284	47	0	82
2004	291	67	0	85
2005	324	83	6	80
2006	371	92	8	82
Percent Growth 02-06	107%	96%	Total 14	

Lawrence Memorial/				
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Regis	Enrolled	Graduated	Waivers	NCLEX
2002	203	66	0	84
2003	269	51	0	90
2004	308	72	0	97
2005	395	102	3	95
2006	395	98	6	93
Percent Growth 02-06	95%	48%	Total 9	

Mass Bay Community College	Enrolled	Graduated	Waivers	NCLEX
2002	328	90	0	91
2003	336	103	0	83
2004	452	106	6	85
2005	356	105	2	87
2006	395	93	13	83
Percent Growth 02-06	20%	3%	Total 21	

Massasoit Community College	Enrolled	Graduated	Waivers	NCLEX
2002	106	54	0	87
2003	110	66	0	93
2004	114	59	0	88
2005	156	57	0	100
2006	171	61	3	89
Percent Growth 02-06	61%	13%	Total 3	

MGH Institute (MSN program)	Enrolled	Graduated	Waivers	NCLEX
2002	122	72	0	90
2003	199	45	0	93
2004	223	86	3	92
2005	221	78	6	96
2006	224	65	5	88
Percent Growth 02-06	83%	-10%	Total 14	

Middlesex Community College	Enrolled	Graduated	Waivers	NCLEX
2002	94	42	0	90
2003	210	37	1	89
2004	135	54	3	87
2005	153	48	4	83
2006	368	62	4	83
Percent Growth 02-06	291%	48%	Total 12	

Mt. Wachusett				
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Community College	Enrolled	Graduated	Waivers	NCLEX
2002	186	53	0	98
2003	221	56	2	89
2004	176	74	3	85
2005	201	85	6	85
2006	198	90	6	95
Percent Growth 02-06	6%	41%	Total 17	

North Shore Community College	Enrolled	Graduated	Waivers	NCLEX
2002	114	56	0	87
2003	108	53	0	87
2004	126	59	0	96
2005	124	57	0	89
2006	130	61	0	85
Percent Growth 02-06	14%	8%	Total 0	

Northeastern University (includes MSN program)	Enrolled	Graduated	Waivers	NCLEX
2002	453	86	0	87
2003	461	91	10	84
2004	539	109	11	77
2005	543	111	17	79
2006	584	133	17	85
Percent Growth 02-06	29%	55%	Total 55	

Northern Essex Community College	Enrolled	Graduated	Waivers	NCLEX
2002	130	56	0	84
2003	146	52	0	94
2004	159	59	2	85
2005	168	80	4	76
2006	168	80	4	93
Percent Growth 02-06	29%	43%	Total 10	

Our Lady of the Elms	Enrolled	Graduated	Waivers	NCLEX
2002	86	17	0	88
2003	92	21	0	71
2004	122	19	3	79
2005	141	27	4	78
2006	163	44	5	88
Percent Growth 02-06	90%	158%	Total 12	

Quincy College	Enrolled	Graduated	Waivers	NCLEX
2002	334	141	0	86

2003	249	100	0	90
2004	279	120	3	91
2005	270	114	9	86
2006	304	127	8	95
Percent Growth 02-06	-9%	-11%	Total 20	

Quinsigamond Community College	Enrolled	Graduated	Waivers	NCLEX
2002	202	61	0	97
2003	219	59	0	92
2004	220	65	0	86
2005	188	86	2	84
2006	253	84	0	92
Percent Growth 02-06	25%	38%	Total 6	

Regis College (includes MSN program)	Enrolled	Graduated	Waivers	NCLEX
2002	51	10	0	100%
2003	61	14	1	85
2004	78	11	2	90
2005	190	63	7	71
2006	183	66	10	72
Percent Growth 02-06	259%	560%	Total 20	

Roxbury Community College	Enrolled	Graduated	Waivers	NCLEX
2002	93	28	0	79
2003	91	24	1	85
2004	106	26	1	56
2005	137	43	6	74
2006	140	44	2	68
Percent Growth 02-06	51%	57%	Total 10	

Salem State College (includes MSN program)	Enrolled	Graduated	Waivers	NCLEX
2002	352	68	0	84
2003	423	66	3	89
2004	488	56	3	71
2005	794	62	12	84
2006	854	84	9	96
Percent Growth 02-06	143%	27%	Total 27	

Simmons College (includes MSN program)	Enrolled	Graduated	Waivers	NCLEX
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2002	167	50	0	84
2003	165	54	0	89
2004	311	57	2	94
2005	471	104	0	97
2006	487	132	8	96
Percent Growth 02-06	192%	164%	Total 10	

Springfield Tech. Community College	Enrolled	Graduated	Waivers	NCLEX
2002	96	36	0	83
2003	110	41	1	83
2004	163	61	5	80
2005	198	83	6	78
2006	186	79	5	90
Percent Growth 02-06	94%	119%	Total 17	

UMASS Amherst	Enrolled	Graduated	Waivers	NCLEX
2002	124	60	0	89
2003	189	81	3	89
2004	135	70	1	80
2005	269	104	8	76
2006	358	59	0	89
Percent Growth 02-06	189%	stable	Total 12	

UMASS Boston	Enrolled	Graduated	Waivers	NCLEX
2002	434	90	0	91
2003	499	82	5	91
2004	500	78	11	92
2005	500	101	17	90
2006	558	134	21	84
Percent Growth 02-06	29%	49%	Total 54	

UMASS Dartmouth	Enrolled	Graduated	Waivers	NCLEX
2002	300	65	0	92
2003	329	49	0	96
2004	339	74	0	91
2005	524	55	0	91
2006	426	79	0	86
Percent Growth 02-06	42%	22%	Total 0	

UMASS Lowell	Enrolled	Graduated	Waivers	NCLEX
2002	246	53	0	77
2003	249	56	0	70
2004	266	63	0	84
2005	262	57	0	72
2006	257	53	0	94
Percent Growth 02-06	4%	No change	Total 0	

UMASS-Worcester (MSN Program)	Enrolled	Graduated	Waivers	NCLEX
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2002				
2003				
2004	Established			
2005	45	40	0	93
2006	46	40	0	98
Percent Growth 02-06			Total 0	

Worcester State College	Enrolled	Graduated	Waivers	NCLEX
2002	176	29	0	90
2003	143	30	2	87
2004	173	36	0	89
2005	214	32	2	91
2006	238	48	7	94
Percent Growth 02-06	114%	66%	Total 11	